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APPLICATION No.: 09/938,670
ATTORNEY DOCKET: 60117.000007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : 09/938,670 Confirmation No.: 2509
Applicant : Jens PETERSEN et al.
Filed : August 27, 2001
Title : POLYACRYLAMIDE HYDROGEL AND ITS USE AS AN
ENDOPROSTHESIS
TC/Art Unit : 3738
Examiner: : David J. Isabella

Docket No. : 60117.000007
Customer No. : 21967

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, and in compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, Applicants submit attached Form PTO/SB/08A (modified) for consideration and request the reference cited therein be made of record by the U.S. Patent and Trademark Office ("USPTO") in the above-captioned application. In accordance with 37 C.F.R. § 1.98(a)(2), the U.S. patent cited has not been provided.

Applicants respectfully point out that the submission of the listed reference in this Information Disclosure Statement is not an admission that it is prior art or that it is material to patentability of any claims of the application. Also, the submission of this Information Disclosure Statement is not an indication that a search has been made by Applicants.

Consideration of the foregoing plus the prompt return of a copy of the enclosed Form PTO/SB/08A with the Examiner's initials in the left column in accordance with M.P.E.P. § 609 are respectfully requested.

In accordance with 37 C.F.R. §§ 1.97(c)(1) & 1.97(e)(2), this Information Disclosure Statement is believed to be submitted after the issuance of a first Office Action on the merits but prior to the issuance of a final Office Action or Notice of Allowance, no information contained

in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Therefore, it is respectfully submitted that no fee is required for consideration of this information. However, in the event any fee is deemed necessary, the Commissioner is authorized to charge the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

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Dated: December 1, 2005

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

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of

1

Attorney Docket Number

Complete if Known

Application Number

09/938,670

Filing Date

August 27, 2001

First Named Inventor

Jens PETERSEN

Group Art Unit

3738

Examiner Name

David J. Isabella

Attorney Docket Number

60117.000007

U.S. PATENT DOCUMENTS

[illegible]**FOREIGN PATENT DOCUMENTS**[illegible]

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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